
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

RUSSELL A. WILSON,

Plaintiff,

versus

F. QUINTANA, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:06-CV-847

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Russell A. Wilson, an inmate confined at the Federal Correctional Complex, proceeding *pro se*, brought this lawsuit against prison officials.¹

The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends this action be dismissed without prejudice.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

¹

While plaintiff filed this action on a form used for filing a petition for writ of habeas corpus, the magistrate judge correctly determined that plaintiff's claims are in the nature of a civil action.

SIGNED at Beaumont, Texas, this 8th day of August, 2007.

A handwritten signature in cursive script, reading "Marcia A. Crone". The signature is written in black ink and is positioned above a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE